

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	8:06CR221
Plaintiff,)	
)	
vs.)	ORDER
)	
BRANDON L. WILSON,)	
)	
Defendant.)	

This matter is before the court on the motion to continue by the government (Filing No. 32). The court held a telephone conference with counsel on November 28, 2006. During the conference, the parties requested that trial be set in the late part of January 2007 due to other trial schedules. The request will be granted.

IT IS ORDERED:

1. The government's motion to continue trial (Filing No. 32) is granted as set forth herein.
2. The joint oral motion to continue trial to January 2007 is granted.
3. Trial of this matter is re-scheduled for **January 29, 2007**, before Chief Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motions and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motions, i.e., the time between **November 28, 2006 and January 29, 2007**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 28th day of November, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge